

AND
THE HON'BLE SRI JUSTICE D.APPA RAO

DATE: 05.3.2007

Smt. Banda Ratnamma, W/o Banda Venkata Subbaiah, R/o
Nandivargam Village, Banaganapallie Mandal, Kurnool District

AND

....Respondents

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THE HON'BLE SRI JUSTICE D.S.R.VARMA

AND

THE HON'BLE SRI JUSTICE D. APPA RAO

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TAKEN UP WRIT PETITION NO. 1163 OF 2007

ORAL ORDER: (per the Hon'ble Sri Justice D.S.R.VARMA)

Heard the learned Government Pleader for Home, representing the learned Advocate General, appearing for the respondents.

2. This writ petition is taken up on the strength of a letter, dated 22.12.2006, by Smt. Banda Ratnamma, W/o. Banda Venkata Subbaiah, Kurnool District, to the Hon'ble The Chief Justice, High Court of Andhra Pradesh, Hyderabad, alleging that her husband by name Banda Venkata Subbaiah was kidnapped by D. Dasthagiri, S/o. Kadarsaheb, P. Narayana S/o Pedda Sanjanna, Illuri Suresh Babu S/o Subbarayudu and K. Subba Ramaiah, S/o Venkata Subbaiah, residents of Nandivargam Village.

3. Upon receipt of notice, issued by this Court, the Sub Inspector of Police, Nandivargam Police Station, Kurnool District, filed a counter-affidavit stating, *inter alia*, that, about two years back, a complaint was allegedly lodged orally on the same grounds, but there is no absolute proof as regards such a complaint being made. However, in pursuance of the present complaint, a case in Crime No.11 of 2007 was registered for the offence punishable under Section 365 read with Section 34 of the Indian Penal Code, on 03.02.2007, and investigation is taken up.

4. In view of the said fact, we see no reason to continue the writ petition any longer, the same fails and is liable to be closed.

5. Accordingly, the writ petition is closed, at the stage of admission. However, there shall be no order as to costs.

D.S.R.VARMA, J

D. APPA RAO, J

05TH MARCH 2007
KA/KRK